

CHAPTER 2.37**ARBITRATION COMMITTEE**

2.37.010 Arbitration Committee Established. The Arbitration Committee of the City of Encinitas is hereby established. (Ord. 92-12)

2.37.020 Membership

A. The Arbitration Committee shall consist of two (2) members of the following:

1. One (1) Planning Commissioner, appointed by the Planning Commission.
2. One (1) City Council member, appointed by the City Council.

B. The Chairperson shall be the City Council member and the Vice-Chairperson shall be the Planning Commission member.

2.37.030 Meetings.

A. Two (2) members of the Arbitration Committee shall constitute a quorum.

B. The Arbitration Committee shall meet when called by the Director of Planning and Building at the written request of a proponent or an interested person after the appropriate filing fees, as established by the City Council, have been received by the City from the requesting proponent or interested person. The Arbitration Committee shall meet within ten (10) calendar days after the date of the request for the meeting and it shall render a decision on the dispute within twenty (20) calendar days of the date of said request. All Arbitration Committee meetings shall be open to the public, but no notification shall be required, except an oral notification to the person who requested the meeting and other parties involved and a posted agenda. (Ord. 2003-08).

C. The Community Director of Planning and Building, proponent or interested person may make written or oral presentations to the Arbitration Committee. The Director of Planning and Building shall keep a written record of the Committee's decision, and shall send a copy of the decision to the proponent or person who requested the meeting. (Ord. 2003-08).

D. The proponent or interested person who requested the Arbitration Committee meeting may appeal the Committee's decision pursuant to Chapter 1.12.

2.37.040 Duties of Arbitration Committee.

A. The purpose of the Arbitration Committee is to settle disputes which arise after the final decision has been made on an application for a Minor Use Permit, Major Use Permit, Tentative Parcel Map, Tentative Map, Minor Variance, Major Variance, Lot Line Adjustment, Coastal Development Permit, or Design Review Permit. The Arbitration Committee should act with a minimum of time, delay, cost and administrative effort.

B. The Arbitration Committee shall only confirm or reverse the Director of Planning and Building's decision regarding conformance of construction with, expiration, extension, or suspension of a Minor Use Permit, Major Use Permit, Tentative Parcel Map, Tentative Map, Minor Variance, Major Variance, Lot Line Adjustment, Coastal Development Permit, or Design Review Permit. (Ord. 2003-08).

2.37.050 Appeals.

A. A final determination by the Arbitration Committee shall be appealed only to the City Council pursuant to Chapter 1.12.

B. All decisions of the Arbitration Committee shall be posted at City Hall and shall become final sixteen (16) days thereafter unless a timely appeal is filed to the City Council in accordance with the provisions of this Chapter.